



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

March 15, 2022

**BY ECF**

The Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

**Re: *United States v. William Jimenez*, 20 Cr. 122 (DLC)**

Dear Judge Cote:

On behalf of both parties, the Government writes to provide an update to the Court with respect to the status of this case given the death of the victim (*see* Dkt. 52) and to request an in-person appearance as set forth below.

As the Court is aware, on October 13, 2021, the defendant pled guilty to using and possessing a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), in connection with a January 22, 2020 incident in which he shot another individual in the leg during a drug-related dispute. Since then, the Government has learned that the victim of the shooting passed away in March 2021 of an unrelated drug overdose, prior to the defendant's guilty plea. The victim's anticipated testimony that the defendant shot him in the course of a drug-related dispute would have been a central aspect of the Government's evidence proving the drug nexus element of the Section 924(c) offense.

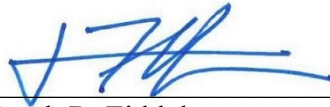
The Government has agreed in the interests of justice not to oppose a request by the defendant to withdraw his previously entered guilty plea to the Section 924(c) offense, on the condition that he immediately plead guilty to being a felon in possession of ammunition, in violation of 18 U.S.C. § 922(g)(1). The parties have agreed to proceed in that fashion and have entered into a plea agreement to that effect that will be provided to the Court under separate cover. Accordingly, the parties respectfully request that the Court schedule an in-person appearance at

which the defendant will request to withdraw his previously entered guilty plea and enter a new plea of guilty to the felon-in-possession offense. The parties are available on March 22 at or after 3:00 p.m., or anytime on March 24 or 25. The undersigned will be on trial before Judge Furman, but another Assistant United States Attorney will appear for the Government.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

by:



Jacob R. Fiddelman  
Assistant United States Attorney  
(212) 637-1024

cc: Zawadi Baharanyi, Esq.

GRANTED. The requested hearing shall take place on March 24, 2022 at 3:00 PM in Courtroom 18B. The sentencing scheduled for April 8 is adjourned to April 27 at 3:00 PM in Courtroom 18B. Defendant's sentencing submissions are now due April 15, with the Government's due April 22.

SO ORDERED

March 15, 2022



DENISE COTE  
United States District Judge